

Order

Michigan Supreme Court
Lansing, Michigan

December 16, 2010

Marilyn Kelly,
Chief Justice

141522

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

JOHN GUIDOBONO II REVOCABLE TRUST
AGREEMENT and JOHN GUIDOBONO II,
Trustee,

Plaintiffs/Counter-Defendants-
Appellants,

v

SC: 141522
COA: 290589
Livingston CC: 06-022328-CH

SANDRA JONES, WILLIAM KRIST, DONNA
KRIST, TODD KRIST, and CHERYL KRIST,
Defendants/Counter-Plaintiffs/
Third-Party Plaintiffs-Appellees,

and

JOHN GUIDOBONO II and CATHY
GUIDOBONO,
Third-Party Defendants-Appellants.

On order of the Court, the application for leave to appeal the June 24, 2010 judgment of the Court of Appeals is considered, and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals in part. The Court of Appeals erred in concluding that the doctrine of acquiescence applies to easements. See e.g. *West Michigan Dock & Mkt Corp v Lakeland Invs*, 210 Mich App 505 (1995); *McQueen v Black*, 168 Mich App 641 (1998); *Wood v Denton*, 53 Mich App 435 (1974). In all other respects, the application for leave to appeal is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



s1209

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 16, 2010

Corbin R. Davis

Clerk